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ORDINANCE NO. 2020-05

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM NB TO MR

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
INDIANA:**

Section I: The Unified Zoning Ordinance Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to-wit:

Lot numbered One (1) in Shoshone Subdivision, as per the Plat thereof dated July 21, 1989, recorded August 18, 1989, in Plat Cabinet D, Slide D-33, as Document Number 8911513. Located in Fairfield Township, Tippecanoe County, Indiana.

Section II: The above described real estate should be and the same is hereby rezoned from NB to MR.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

**PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
LAFAYETTE, INDIANA, THIS ____ DAY OF _____, 20__.**

Ronald Campbell, Presiding Officer

ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the _____ day of _____, 2020.

Cindy Murray City Clerk

This Ordinance approved and signed by me on the _____ day of _____, 2020.

Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

January 16, 2020
Ref. No.: 2020-023

Lafayette Common Council
20 N 6th Street
Lafayette, IN 47901

CERTIFICATION

RE: Z-2781 VALLEY OAKS HEALTH, INC. (NB to MR):

Petitioner is requesting rezoning of a lot located on the southwest corner of the T-intersection of Teal and S. 22nd Street, specifically 2111 Teal Road, Lafayette, Fairfield 33 (SE) 23-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 15, 2020 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from NB to MR. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette Common Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette Common Council at their February 3, 2020 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



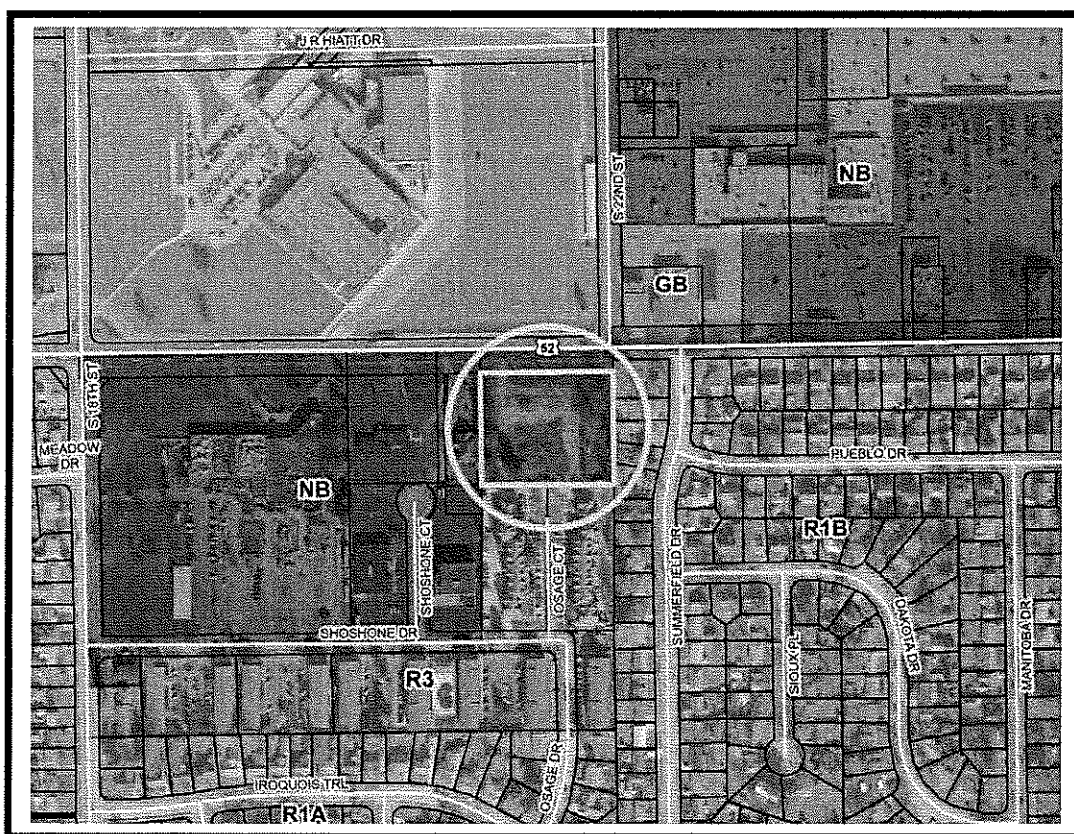
Sallie Dell Fahey
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Tom Gilliom, Valley Oaks Health, Inc.
M. Shane O'Malley, TMS Investments, LLC
Kevin Riley, Reiling Teder & Schrier, LLC
Bill Smith, INDOT
Jeromy Grenard, City Engineer's Office

STAFF REPORT
January 9, 2020



Z-2781
VALLEY OAKS HEALTH, INC.
(NB to MR)

Staff Report
January 9, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of owner TMS Investments, LLC, and represented by attorney Kevin Riley of Reiling, Teder and Schrier, is requesting rezoning of a lot located on the southwest corner of the T-intersection of Teal Road and S. 22nd Street, specifically, Lot 3 of Shoshone Subdivision, 2111 Teal Road, Lafayette, Fairfield 33 (SE) 23-4. Petitioner, a "non-profit community mental health agency," would like to build a group home for adults (SIC 836 Residential Care) which would serve up to 15 clients and would be staffed by approximately 7 employees.

ZONING HISTORY AND AREA ZONING PATTERNS:

The lot in question is currently zoned NB, Neighborhood Business. The 1968 city zoning map shows the property zoned LB, Local Business which was the precursor to the NB zone. This 1968 map also showed R1B zoning to the north and east, R3 zoning to the south and LB (now NB) to the west; this is the same zoning pattern in place today. The only differences to the zoning pattern of today are the GB zoning on the northeast corner of Teal and 22nd, and the NB zone to the west which has expanded to the south over the years.

AREA LAND USE PATTERNS:

The site at one time held a banking institution, which was razed a little over a year ago. The property is currently unimproved. The backyards of the single-family homes in the Tecumseh Addition are located adjacent to the east; adjacent to the south are the two other lots within the Shoshone Subdivision both with large apartment buildings. Huntington Bank and Regions Bank are adjacent to the west with the Greater Lafayette Career Academy (the former Lafayette Life Insurance building) beyond them. Just to the south of the banks are a church and a thrift store. Lafayette Tecumseh Junior High School and its grounds are across Teal Road to the north; a BP gas station is located on the northeast corner with the stores in Lafayette Station shopping center beyond that.

TRAFFIC AND TRANSPORTATION:

Teal Road (US 52) is classified as an urban primary arterial by the adopted *Thoroughfare Plan*. Reconstruction of Teal will begin in the spring. No site plan or construction plans for the group home have been submitted (nor are they required at this stage); however, required parking would be "1 space per each employee on the largest shift, plus 1 per each 5 clients; except 1 per 600 sq. ft. of gross floor area if clients are not permitted their

own vehicles.” Required bicycle parking would be “5% of required auto parking spaces but not less than 2.”

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The lot is served by city utilities. If the rezone is approved, a 30’ wide, type C bufferyard may be required by the city but only along the east and south lot lines.

STAFF COMMENTS:

According to petitioner’s representative, “Valley Oaks Health (formerly known as Wabash Valley Alliance) is a non-profit community mental health agency that serves Tippecanoe county and eight other counties. Valley Oaks plans to build a group home approximately 7,000 square feet in size on the subject property to serve up to 15 clients. The facility will be open 24 hours a day, 7 days a week, 365 days a year. Clients will receive skills training in areas needed to improve their daily functioning including mood management, interpersonal (social) functioning, and independent living/self-care. Clients receive individual and group-based services, as well as medication support. The facility will be staffed full-time by approximately 7 Valley Oaks employees. It is intended that clients will move out of the facility once they have received the necessary treatment and/or training. This would be the second Valley Oaks’ group home in Tippecanoe County.”

The change from NB to MR is a lateral move as far as intensity of uses allowed in the two zones is concerned. Generally, MR is more limiting than NB; there are fewer uses permitted by right in the MR zone than the NB zone. Many “public administration” offices and most retail uses are not permitted in MR; however multi-family residential uses are permitted in MR but not NB. While there is no other Medical Related zoning nearby, staff believes this zone is a good fit for this property located on a busy arterial, yet adjacent to residential uses on two sides.

STAFF RECOMMENDATION:

Approval